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LB 46, 62, 760

not attend the meeting, even though we held a special session last fall to specifically deal with that very decision in our capital sentencing process and procedures. The legislative changes we enacted in response to Arizona v. Ring require new duties and new training of our judges. They must begin impaneling juries in capital cases, instructing juries as to the definitions of statutory aggravators, and whether or not those aggravators warrant death. And those kinds of responsibilities that relate to the sentencing phase. Additionally, probation officers now have different responsibilities with regard to presentence investigations. And that would be further enhanced and affected by LB 46 with regard to community corrections and our effort to reduce the expense of corrections. Presentence investigations are only performed in a capital case after the aggravation phase, and...so that the jury can determine the existence of aggravators and whether those are sufficient to warrant the death penalty. As such, a presentence investigation in a capital case now will deal with mitigation of the sentence, and the factors that constitute that. While some judges and court staff have attended seminars and have simply paid for those themselves, as a matter of policy, it's important that we are wanting to maintain the quality of our judiciary, and that we are requiring continuing legal education. The committee amendment also incorporates other bills that were pending before the Judiciary Committee that relate to the administration of justice. Under what I have come to affectionately refer to as the Stuhr doctrine, I want you to know that every bill was advanced by your Judiciary Committee, and there's a committee statement available to you for each bill which we are incorporating by the committee amendment. First, let's look at LB 62. The operative sections of LB 62, introduced by Senator Connealy, dealing with the Commission on Public Advocacy, are incorporated. As amended by the committee amendment, LB 62 would impose, of that \$8.50 total...and that goes together with \$1.00 in the LB 46, which is the data collection fee with regard to community corrections. Of that \$8.50 total, \$2.75 of that would constitute an indigent defense fee to be taxed in court cases. The money collected by the fee will be deposited into the Commission of Public Advocacy operations cash fund. The money generated will be budget relieving, in that we will not have to appropriate monies from the General Fund. And in